

TO PROMOTE THE EFFICIENCY OF THE MILITIA.

JANUARY 28, 1897.—Committed to the Committee of the Whole House on the state of the Union and ordered to be printed.

Mr. MARSH, from the Committee on the Militia, submitted the following

REPORT.

[To accompany H. R. 10169.]

The Committee on the Militia have had under careful consideration House bill 876, introduced by Mr. Curtis, of New York; House bill 2294, introduced by Mr. Curtis, of Iowa, and House bill 3361, introduced by Mr. Broderick, and also have compared the various Senate bills on the subject, and have prepared and report herewith a substitute for said House bills embodying the conclusions of the committee on the different suggestions that have been made.

The law as now existing is shown in small type after the corresponding section of the bill, and is repealed by section 26.

This bill is a revision of the present law, with amendments to adapt it to existing conditions.

It repeals the requirements for the enrollment, arming, and drill of the whole population, with all their impossible or obsolete details. The most part of the present law with reference thereto was originally enacted in 1792, and provides for the bounds of a company, enrollment of each citizen by the captain, flint-lock muskets, fire-locks or rifles, grenadiers, dragoons, officers armed with "spontoons," musters of the whole population, and a host of like particulars. All this the bill gets rid of.

At the same time the bill preserves the great principle laid down by the Constitution and interpreted by its makers in the law of 1792, that every citizen belongs to the militia and is subject to be called forth by the President to "execute the laws of the Union, suppress insurrections, and repel invasions."

During the century the country has seen the development of the great National Guard, a select body of men, organized in each State, full of enthusiasm and emulation, and trained to no mean extent in the art of war. The need of such a body had been prophesied by Hamilton before the adoption of the Constitution. In No. 35 of the *Federalist* he urges that the military training of the whole people would be as unwise as it would be impossible; that it would be too great a tax upon their time and resources, and that our efforts should be directed to the formation and encouragement of a picked body of militia, who should be well disciplined and ready for any emergency. Experience has justified his views.

The law for general enrollment has been everywhere disregarded, and within each State a military system has grown up that we now usually call the National Guard, which is exactly in accordance with his views. That system was first recognized by the United States in the law of

1887 (see sec. 1661 of the old law, under sec. 17 of this bill), by which the benefit of the appropriation made by the United States is to be confined to such States as should have a certain number of "regularly enlisted, organized, and uniformed active militia;" and these, by this bill, as in fact, constitute the National Guard; the rest are the reserve (see sec. 1). By section 3 the enlistment is ordered to be for a definite time. By section 10 parts of the Guard may be accepted in time of peace for drill and discipline. By section 19 they are required to drill for a certain period every year. It is true that the period named is short, but emulation will do more than statute, and the requirement is only made in order to prevent mere paper troops. By section 20 inspection of the Guard may be had by a regular officer. By section 21 a Regular Army instructor may be furnished, at the request of the State. By section 22 an officer may be detailed, at like request, to serve with the Guard, and by section 23 the Guard may be allowed to drill in forts.

The rest of the bill is practically a revision of the existing law. Section 2 amends the law so as to exempt the Regular Army from the militia duty and confines State exemptions to those now existing. Section 4 makes the penalty for disobeying the call of the President such as a court-martial may inflict. Section 10 alters the wording of the provision for such call so as to make it agree exactly with the words of the Constitution. In section 11 the words "in his discretion" are new. Section 16 allows old and unserviceable material to be turned in by the States and credited at their value. It is in the form recommended by the Chief of Ordnance in his annual report.

All these provisions have been urged for years upon Congress by the National Guard. They are earnestly desired and urgently needed, and we press upon Congress a prompt passage of the bill.